

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

KAREN Y. DE MAIO, ET AL.

v.

COMMONWEALTH LAND TITLE  
INSURANCE COMPANY, ET AL.

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Civil No. JFM-08-1989

MEMORANDUM

Plaintiffs have brought this *pro se* action against LandAmerica Financial Group, Inc. and Commonwealth Land Title Insurance Company. LandAmerica has filed a motion to dismiss, and Commonwealth has filed a motion for summary judgment.<sup>1</sup> After being advised of the consequences of a failure to do so, plaintiffs have failed to respond to the motions. The motions will be granted.

Plaintiffs make no allegation that there was any contractual relationship between themselves and LandAmerica. Therefore, their claim against LandAmerica is entirely without basis.

As to the claim against Commonwealth, plaintiff assert that they are entitled to recover under a title insurance policy issued by Commonwealth to them. This claim is entirely without merit. Plaintiffs apparently are dissatisfied with the replacement by Baltimore Gas & Electric (which is not named as a party) of the gas and electric line and the placement of a 13,000 volt transformer on the property owned by plaintiffs. BG&E's actions were taken under a right of way agreement that is an express exception in the policy issued by Commonwealth when

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<sup>1</sup>When they filed their complaint, plaintiffs also filed a motion for summary judgment. The motion is entirely insufficient because it states no reasons why judgment should be entered in favor of plaintiffs.

plaintiff purchased the subject property in 1974. Thus, plaintiffs have no claim under the title insurance policy against Commonwealth.

A separate order effecting the rulings made in this memorandum is being entered herewith.

Date: September 19, 2008

/s/  
J. Frederick Motz  
United States District Judge

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ORDER

For the reasons stated in the accompanying memorandum, it is, this 19th day of  
September 2008

ORDERED

1. Plaintiff's motion for summary judgment is denied;
2. The motion to dismiss filed by LandAmerica Financial Group, Inc. is granted,
3. Plaintiffs' claim against LandAmerica is dismissed;
4. The motion for summary judgment filed by Commonwealth Land Title Insurance Company is granted; and
5. Judgment is entered in favor of Commonwealth Land Title Insurance Company against plaintiffs.

/s/ \_\_\_\_\_  
J. Frederick Motz  
United States District Judge